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**No. 4:21-CR-5**

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**IN THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF TEXAS**

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**UNITED STATES OF AMERICA**

**v.**

**THE BOEING COMPANY  
Defendant**

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**MOTION & BRIEF OF AMICUS CURIAE ANTHONY KEYTER (SENIOR  
BOEING INSTRUCTOR PILOT, RETIRED) IN SUPPORT OF COURT ORDER  
FORBIDDING THE BOEING COMPANY TO COMMIT FURTHER CRIMES,  
AND IN SUPPORT OF INTERNATIONAL FLIGHT SAFETY**

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**ANTHONY P. KEYTER  
6200 SOUNDVIEW DR, R201  
GIG HARBOR, WA 98335**

**FEBRUARY 6, 2023**

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## DISCLOSURE STATEMENT

This Amicus Curiae Brief was authored by Anthony Keyter, a retired Senior Instructor Pilot for the Boeing Company, without the involvement of counsel for any party in this matter. No party or counsel, or person other than the Amicus Curiae, Anthony Keyter, contributed money that was intended to fund preparation or submission of this Brief.

**MOTION FOR LEAVE TO FILE  
EXTRAORDINARY AMICUS CURIAE BRIEF**

***Motion for Leave***

Amicus Curiae Anthony Keyter respectfully moves the US District Court for the Northern District of Texas for leave to file an extraordinary Brief as amicus curiae in this case: (a) in support of Judge O’Conner’s order to the Boeing Company on January 26, 2023, not to commit further crimes; (b) in support of the rule of law and a *law-abiding* Boeing Company; (c) in support of the Boeing Company shareholder’s and prospective shareholders economic security by preventing loss due to present fraud; (d) in support of imperative ‘flight safety’ for the international flying public flying on Boeing aircraft, in the milieu of a criminal Boeing corporate culture; (e) in support of ‘respect for the Court’; and, (f) in support of ‘defense of the interests of the United States’.

This ‘motion for leave to file’ as amicus curiae is accompanied by the proposed Brief, presented below. Extraordinary circumstances prevail in the milieu and history of this case against the Boeing Company, of which the Court would not yet be aware. Once revealed, those circumstances could substantially affect the legal outcome of this case. Without taking cognizance of the broader state of affairs and *ongoing* and covered up crime perpetrated by the Boeing Company, a just decision by the Court is not easily achievable. This Amicus Curiae Brief and its Attachment is intended to provide some (but not all) of the extensive background so as to render the Court’s decisions inclusive of all evidence available, including criminality which has hitherto been suppressed and covered up.

***Statement of Interest of Amicus Curiae***

Amicus Curiae, Anthony Keyter, is a retired Senior Instructor Pilot of the Boeing Company in Seattle, USA, a position he held for 17 years. In that position he instructed in excess of 2000 air crews from airlines across the globe and provided line flying training to 35 airlines in some 30 different countries. He is qualified on Boeing 737, 747, 757, 767, and 777 aircraft, and has performed safety audits with several airlines internationally. He is an experienced test pilot on high performance jet fighters and heavy commercial jets alike; and is a (non-current) member of the Society of Experimental Test Pilots. Anthony Keyter holds a B.Sc. Degree in physics and astronomy and a M.Sc. Degree in space science. His work and his career were, and his ongoing passion is, oriented towards flight safety for the greater public good. He deems himself sufficiently qualified to share with the Court, the remarks contained herein.

Anthony Keyter has personal knowledge of *ongoing* criminal wrongdoing by the Boeing Company and its top officials: the Boeing Board of Directors and Executive Council (See names in *Appendix 1*). Those *ongoing* criminal offenses are in direct contravention of the order given by the Court on January 26, 2023, which order forbids further crimes being committed by the Boeing Company. Anthony Keyter also has personal knowledge of underlying grave offenses perpetrated by the Boeing Company and its top officials that have not been tended to by any authority – but have instead been criminally covered up. (As surprising as this may sound, the US Department of Justice has throughout many years worked to protect the Boeing Company and/or its officials from investigation and prosecution for criminal offenses).

***Reasons why this Amicus Brief is Desirable***

With this case, this Court appears prepared to put an end to Boeing Company criminality. Likewise is Anthony Keyter eager to see an end to the Boeing Company's ongoing criminality, in favour of a more benign, law abiding, and prosperous Boeing Company in the future – a future which embraces 'flight safety' and thus values human life. The objectives of the Court and the Amicus Curiae are thus in step.

Boeing's criminal corporate culture adversely affects: Boeing shareholder(s) and future investors; the safety of the flying public; the public perception of an arbitrary judicial system in the United States; and the international standing of the United States in the eyes of the international public. These facts have been acutely demonstrated in the two recent Boeing 737 Max crashes and the concomitant death of 346 people - with the criminal culpability of the Boeing Company therein. However, that criminal wrongdoing by the Boeing Company and its top officials has yet to become public and *is yet to be addressed* by the authorities.

Although fully informed, President Biden, his Administration, and certain top officials at the Department of Justice have demonstrated a great reluctance to deal with Boeing's wrongdoing, for reasons of their own. Boeing is an influential and commercially successful company and the United States relies on it for the manufacture of, amongst other, military and space vehicles as well. Consequently, Boeing has become too large and too important for any government appetite to bring the company to justice for criminal wrongdoing. In practice, it has become a company 'too large to fail', to use a colloquial term. Boeing therefore enjoys complete *impunity* for any criminal offences it may perpetrate, including for massive fraud on three stock exchanges, and

mass murder of 507 people, attempted murder of another 189, and attempted murder of a witness (a Boeing Instructor Pilot and court witness). The criminal complaint on murder (filed with authorities in a Dossier of Crimes, Volume III, Chpt. 42.1.8) meticulously demonstrates that *696 people* have now died or been seriously injured in preventable air accidents as a *direct result* of Boeing's criminality and impunity.

Anthony Keyter files this Amicus Curiae Brief to clearly demonstrate one important point to the Court, and that is: the order by the Court, intended to prohibit Boeing from engaging in any criminal acts, has been ignored and violated on numerous counts from the very first day the court order was issued on January 26, 2023. The Boeing Company continues to commit crimes and continues to violate the United States Code and Revised Code of Washington on a daily basis, through a number of different and serious violations. The accompanying 'Brief' intends to bear witness to this statement and will make reference to where the evidence lies.

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## **AMICUS CURIAE BRIEF**

### **1. INTRODUCTION**

Despite great technical and financial achievements, The Boeing Company is not without culpability in criminal wrongdoing. In recent years greed and short-sighted indifference has tarnished the name of this 100-plus year old company. Short-cuts in its processes, and drive for profits regardless of the adverse consequences on safety, have left Boeing culpable in homicide and other serious crimes under the laws of the United States and of Washington State (and also under the Rome Statute of the International Criminal Court).

### **2. RECENT COURT ORDER ISSUED**

On January 26, 2023, the Court ordered the Boeing Company to refrain from engaging in (further) criminal activities. While the criminal case of fraud against the Boeing Company is still being deliberated by this Court, the Boeing Company has from before that court order, from the day of the court order, and ever since the order, been fully engaged in its normal and ongoing criminal violations of law, with malice aforethought. Some (but not all) of those ongoing criminal violations of law are herewith presented to the Court for its action on Boeing's violation of Court Order. Other criminal violations that have not been addressed by the authorities will be presented to the Court separately by Anthony Keyter acting as Prosecutor Qui Tam, thus keeping the issue in this 'Brief' singular, and that is: the violation of Court Order by The Boeing Company.

### **3. BOEING COMPANY VIOLATIONS OF COURT ORDER**

Since being ordered by the Court to refrain from criminal acts, the Boeing Company has continued its normal criminal activities on a daily basis. Some of those

ongoing criminal activities are presented in abbreviated form in sub-paragraphs 3.1 to 3.5 below.

### **3.1. \$249.88 BILLION BOEING COMPANY / STOCK EXCHANGE FRAUD**

The Boeing Company has a long history of criminal conduct. The Boeing Company, based in the United States, trades its shares on the New York Stock Exchange (NYSE), the NASDAQ, and the London Stock Exchange (LSE). The Boeing Company is presently committing massive *ongoing* fraud upon the international investing public and financial markets, in two ways: (a) by failing to report material facts to its shareholders and prospective shareholders that will negatively, but significantly, impact its share value; and (b) by operating unlawfully in Washington State as 'Boeing Commercial Airplanes' or 'Boeing'.

#### ***A Failure to Report***

Boeing and its Board of Directors and Executives have played a leading role in a broader and virulent criminal conspiracy involving the following crimes:

*Fraud on a large scale; obstruction of justice, 18USC1519; theft of court record; tampering with a witness; retaliation against a witness; contempt of court; perjury; conspiracy to commit offenses; conspiracy to kidnap; conspiracy to murder; conspiracy against rights; deprivation of rights; misprision of felony; treason; misprision of treason; seditious conspiracy; insurrection against the laws; accessory after the fact to offenses of their government co-conspirators as detailed in the 'Dossier of Crimes'; crimes against humanity of mass murder in the death of 507 people; crimes against humanity of other inhumane acts in the grave injury of 189 innocent civilians.*

These Boeing Company crimes are meticulously detailed over a number of years in a 2,400-page tome titled the '*Dossier of Crimes*', USA, Volume III, Chapter 42. The dossier is scripted by Anthony Keyter, the Amicus Curiae, and filed with multiple USA authorities. The crimes and criminal charges have, however, been covered up. The



crimes and their cover-up have been perpetrated with the full knowledge and tacit consent of United States President Biden and corrupt elements of the US Government and the Washington State Government. The crimes have not been investigated or prosecuted and remain filed with President Biden and the DOJ. Boeing is illegally 'protected by corrupt elements of the US Government' against prosecution for its lawlessness.

The Boeing Company has willfully failed to advise its investors and future investors that criminal charges are pending against the company and against the Board of Directors, as is legally required of them pursuant Sections 17(a)(2) and 17(a)(3) of the US Securities Act. The Boeing Company has deliberately failed to advise its shareholders and prospective shareholders that its Board of Directors and multiple other officials could be arrested at any moment (bar for the illegal protection and impunity granted by certain corrupt government officials). The Boeing Board of Directors willfully failed to advise its investors (and traders in its shares) of *all material facts* that impact, or potentially impacts, its share price. That deliberate failure to report constitutes *ongoing fraud upon its investors*.

***Fraudulently Operating where it is legally Debarred from doing Business***

The Boeing Company and the Boeing Board of Directors have also played a leading role in a criminal conspiracy relating to the Boeing 737 MAX accidents and two further air accidents involving the death (mass murder) and/or injury (attempted murder) of 696 people. The US Congressional Committee investigating the MAX accidents confirmed that, quote: "*Boeing had a criminal conspiracy*" which precipitated the 737

MAX accidents. The Prosecutor Qui Tam also has significant evidence of '*criminal conspiracy*' perpetrated by Boeing within Washington State, USA.

A major division of the Boeing Company, namely *Boeing Commercial Airplanes*, is located in Washington State. Washington State law forbids any company that has taken part in a *criminal conspiracy*, to do business in that state. The Revised Code of Washington (RCW) clearly states in statute RCW 9A.08.030(5), quote:

*"Every corporation, whether foreign or domestic, which shall violate any provision of RCW 9A.28.40, shall forfeit every right and franchise to do business in this state". [RCW 9A.28.40, refers to criminal conspiracy].*

The Boeing Company has perpetrated and is presently perpetrating multiple counts of criminal conspiracy. (Some of these counts are described in sub-sections 3.2 to 3.5 below.) The Boeing Company is thus debarred from doing business in Washington State. Yet, the Boeing Company and Boeing Commercial Airplanes (division) continue to do business there illegally, in flagrant violation of the law and the 26 January 2023 order by this Court. Boeing continues to unlawfully build and sell aircraft, offer shares, pay salaries, do business with vendors, and so forth, in Washington State. And with every aircraft sold and every share offered or sold, or salary paid, they are in violation of the criminal statutes and the 26<sup>th</sup> January 2023 order by this Court.

The Boeing Company has willfully failed to advise its shareholders and prospective shareholders that it is illegally doing business in Washington State, and that the unambiguous law requires it to forthwith close down its commercial airplane division in that State.

Boeing's criminality and that of its directors *will undeniably devastate* its share price when these facts become public knowledge, as inevitably it must. These

undisclosed and hidden facts, materially and potentially affecting the Boeing share price and its very existence, constitutes unmistakable ***fraud committed*** with every Boeing share that is offered and traded. The quantum of the fraud in respect of Boeing shares is equal to the value of sudden investment loss or the peak market capitalization value of the company over the period of the fraud. *That market capitalization, and thus the ongoing fraud, amounts to an astronomical \$249.88 billion (peak value on 21 December 2022).*

That fraud is described in detail in the Dossier of Crimes, USA, Volume III, Chapter 42.1.9 to 42.1.12, and is filed with President Biden and the DOJ. The detailed fraud charges are available as further evidence to investigators and to this Court.

This fraud is perpetrated day after day, was in place before the US District Court ‘court order’, and is intact today. *This ongoing fraud, withholding the information from investment markets that Boeing is illegally doing business in Washington State, is in direct violation of this Court’s order of 26 January 2023 for Boeing to desist from further crime.*

### **3.2. BOEING ONGOING CONSPIRACY WITH STOCK EXCHANGES**

The Boeing Company is in ongoing criminal conspiracy with the three stock exchanges it is listed on, to suppress all knowledge of its fraud upon its shareholders, as described above. Again, those stock exchanges are: NYSE, NASDAQ, and LSE. Once knowing that Boeing had committed the serious crime of fraud which needed a ‘cautionary statement’ to be issued to the markets, and knowing that the delinquent company had not issued those ‘cautionaries’ and was thus defrauding the markets, the three stock exchanges, NYSE, NASDAQ, and LSE had an unequivocal duty to suspend

the Boeing share-trading until a 'cautionary statement' had been issued; or to delist the company. The three stock exchanges willfully failed to do that. Instead they provided Boeing safe haven and passage within which to continue their fraud against Boeing investors. The stock exchanges covered up the crimes and placed an enormous business risk upon unsuspecting Boeing shareholders. The stock exchanges themselves thus became co-conspirators with Boeing in the ongoing fraud upon the international financial / investment markets. Every tranche of Boeing shares sold fraudulently on the stock exchanges is a new count of fraud committed by the criminal conspiracy between Boeing and the three stock exchanges. At any time, when the underlying crimes of Boeing are exposed and prosecuted by the authorities (nationally or internationally), investors and prospective investors face very large losses from that *ongoing fraud*. (See the Dossier of Crimes, Volume III, Chapter 42.1.16. This Dossier is available to the Court).

*The criminal conspiracy between Boeing and the three stock exchanges and the resultant fraud upon the unsuspecting investment markets of some \$249.88 billion is in direct violation of this Court's order of 26 January 2023 for Boeing to desist from further crime.*

### **3.3. BOEING ONGOING CRIMINAL CONSPIRACY WITH PRESIDENT BIDEN, DOJ, AND SEC, TO COVER-UP ONGOING FRAUD AND UNADDRESSED PAST CRIMES.**

The Boeing Company is presently engaged in an ongoing criminal conspiracy with President Biden, the Department of Justice, the Securities Exchange Commission, and other government institutions, to cover up a long running criminal endeavor which involves:

- Crimes against humanity;
- Crimes against the administration of justice, like obstruction of justice;

- Subversive crimes, for example insurrection against the laws of the United States as defined by 18USC2383; and
- Seditious conspiracy as defined by statute 18USC2384. (See the Dossier of Crimes, Volume III, Chapter 42.1.11. This Dossier is available to the Court as prima facie evidence).

*The ongoing criminal conspiracy between Boeing and President Biden, the DOJ, and Securities Exchange Commission to cover-up ongoing fraud of some \$249.88 billion and unaddressed past crimes, is in direct violation of this Court's order of 26 January 2023 for Boeing to desist from further crime.*

### **3.4. BOEING ONGOING CRIMINAL CONSPIRACY WITH ALASKA AIRLINES**

The Boeing Company and Alaska Airlines have both individually and together engaged in criminal conspiracy to commit offenses of witness tampering in the 'Boeing Company Mass Murder Case'. Pursuant the Revised Code of Washington State, RCW 9A.08.030(5), neither of these companies is eligible to do business in that state, let alone with each other. Yet they have recently concluded a 52 new aircraft deal and continue month in and month out to consummate that deal, in direct violation of RCW 9A.08.030(5), which states: *"Every corporation, whether foreign or domestic, which shall violate any provision of RCW 9A.28.40, shall forfeit every right and franchise to do business in this state"*. [RCW 9A.28.40, refers to criminal conspiracy]. (See the Dossier of Crimes, Volume III, Chapters 42.3.1).

*The ongoing criminal conspiracy between Boeing and Alaska Air to illegally do business together in Washington State, where they have both legally forfeited that right, is in direct violation of this Court's order of 26 January 2023 for Boeing to desist from further crime.*

### **3.5. BOEING 'ONGOING' CRIMINAL CONSPIRACY TO DEFRAUD THE US**

Regarding the Boeing 737 MAX accidents, DOJ prosecutors found that Boeing knowingly and willfully conspired to defraud the United States by undermining the FAA's ability to evaluate the safety of the plane. In January 2021 Boeing was fined \$2.5 billion by the DOJ for one count of conspiracy. Assistant Attorney General David Burns said: "*Boeing Employees chose the path of profit over candor by concealing material information from the FAA concerning the operation of its 737 MAX airplane and engaging in an effort to cover up their deception*".

Despite that heavy fine, Boeing today continues to defraud the United States, the Securities and Exchange Commission, Boeing shareholders, the Washington State Government, and the DOJ with whom they have a deferred prosecution agreement (DPA). Boeing's current and ongoing crimes, described above and perpetrated in conjunction with others, similarly choose a path of profit over candor and conceal material information which ought by law, by DPA order, and by this Court's order, to be disclosed to the DOJ, the SEC, and to this Court. Their actions *constitute an ongoing conspiracy to defraud the United States*.

### **4. BOEING'S ONGOING CRIMINAL CORPORATE CULTURE**

The existing Boeing criminal corporate culture has been demonstrated through many examples. The Amicus Curiae, Anthony Keyter, has experienced and observed this criminal corporate culture over the past 17 years and provides some pertinent examples to illustrate that criminal proclivity. The incidences may have come and gone, but the present Boeing Board of Directors and Executive Council are today still actively engaged in the cover up of the past criminal offenses and are committing the same crimes as

‘accessories after the fact’ for preventing hindering, and delaying the apprehension, trial, and punishment of the perpetrators in their midst. The present Boeing Board of Directors and Executive Council are today showing the same extreme indifference to human life as did their predecessors.

#### ***4.1. Boeing Company Mass Murder Case***

The so-called ‘*Boeing Company Mass Murder Case*’ documents the avoidable death (murder) and injury (attempted murder) of 696 people in four separate air crashes. Before *each one of those accidents*, Anthony Keyter, as Senior Instructor Pilot (retired) and consummate aviation professional, *warned* the Boeing Company of the dangers of their *modus operandi* – warnings which were spurned, but if they were heeded, would have prevented the next and the next accidents. That flight safety warning remains as applicable today as it was the first time it was expressed, and it will be voiced again at the end of this ‘Brief’. Boeing’s criminal corporate culture is demonstrated through the four avoidable accidents and one incident of retaliation (attempted murder) against the prime witness, Anthony Keyter. In each of the four air accidents, Boeing withheld pertinent flight safety information in favour of commercial considerations and enhanced profitability. (This proclivity towards deceit and dishonesty by Boeing is known to the US District Court through the statement by US Attorney Erin Cox, as follows: “*the misleading statements, half truths, and omissions communicated by Boeing employees to the FAA impeded the government’s ability to ensure the safety of the flying public*”).

The Revised Code of Washington (where Boeing Commercial Aircraft is headquartered), Statute RCW9A.32.030, states in relevant parts:

*“(1) A person is guilty of murder in the first degree when: ... (b) Under circumstances manifesting an extreme indifference to human life, he or*



*she engages in conduct which creates a grave risk of death to any person, and thereby causes the death of a person; ... ”.*

In each of the four avoidable air accidents, to conclude a potential murder verdict, the investigator should be able to answer in the affirmative in each of three questions: (a) Did Boeing engage in conduct which created a grave risk of death? (b) Did that conduct cause death? And (c) Was that death caused under circumstances manifesting an extreme indifference to human life? If the preponderance of evidence available to date suggests an affirmative answer to each question, then at least an investigation into murder in the first degree should be commenced and followed through as due process of law.

#### **4.1.1. Lion Air Flight 610**

The crash of Lion Air Flight 610 (a Boeing 737 Max 8) on October 29, 2018, in Indonesia, involved a failure in a new flight control system, the MCAS system. Lion Air 610 pilots were not informed by Boeing of the new control system, did not recognize the failure mode, and were not trained on emergency procedures for the malfunction of that undisclosed system that occurred on their flight. In a deliberate and criminally negligent decision, Boeing instead favoured its own commercial interests: cutting down training time in order to be competitive in the market against Airbus, in order to sell more aircraft. The direct result of ***Boeing deliberately withholding crucial technical information*** on their new MCAS system was loss of control of Lion Air Flight 610 and the preventable death of 189 people.

#### **4.1.2. Ethiopian Airlines Flight 302**

The report of the crash of Ethiopian Airlines Flight 302 on March 10, 2019, indicates that the Boeing 737 Max 8 went down in a similar scenario and ***for similar reasons*** as Lion Air 610 shortly after take-off, killing all 157 people on board. The pilots fought for control against a malfunctioning MCAS system that was commanding a nose down attitude (because of faulty angle of attack readings). The flight crew were overwhelmed by the physical forces on the control yoke and finally lost control of the aircraft, in the same way as with the Lion Air flight before them. Once more, considering the commercial implications, Boeing ***concealed the severity of the problem*** and failed to take the decisive action of grounding the Boeing 737 Max aircraft after the first accident until proper fixes were in place.



**4.1.3. Asiana Flight 214**

The crash of Asiana Flight 214 (a Boeing 777) on July 6, 2013, at San Francisco **involved auto-throttle anomalies known to Boeing**, but which anomalies were left unattended. Safety warnings regarding the automation were disregarded by Boeing to avoid the cost of a fix. These factors contributed strongly to the death (the murder) of 3 passengers and the grave injury (attempted murder and inhumane acts) to 181 others.

**4.1.4. Air India Express Flight IX-812**

The crash of Air India Express Flight IX-812 on May 22, 2010, **involving suppressed flight safety warnings** given by a senior Boeing Company Instructor Pilot. Boeing expressly forbade their instructor pilot to disseminate the vital safety warnings. The concealment of those safety warnings by Boeing led to the death (the murder) of 158 people and grave injury (attempted murder and inhumane acts) to another 8 people.

In each of the above cases the evidence shows that there was an active, constructive, decision, deliberately made by Boeing management, to conceal pertinent flight safety warnings and vital technical information and to limit flight safety in favor of enhanced company profitability. Each case showed Boeing's extreme indifference to human life; showed conduct which created a grave risk of death to persons; and that conduct indeed caused the death of 507 persons and grave injury to another 189 - 696 people in all. All four these air accidents are dealt with in much greater detail in a 'Dossier of Crimes', Volume III, Chapter 42.1.8 (a dossier compiled by Anthony Keyter and filed with law enforcement authorities, the DOJ, and with President Biden).

*The ongoing criminal conspiracy between Boeing and corrupt elements of the US Government to cover up the 'Boeing Company Mass Murder Case', and to withhold information of its existence from the investment markets, is in direct violation of this Court's order of 26 January 2023 for Boeing to desist from further crime.*

#### ***4.2. One Further Incident: Kidnap and Murder attempts upon a Court Witness***

There are continuing and combined attempts by Boeing, and by certain US Government officers acting in concert with Boeing, to kidnap and murder a prime Supreme Court witness to these and other incidents (that is, Anthony Keyter, a retired Boeing Company Senior Instructor Pilot and the Amicus Curiae in this Brief). As of the time of filing this Brief, retaliation by Boeing, and the trap set by Boeing and corrupt US Government officials for the kidnap and murder of the witness, has been confirmed by the Federal Aviation Administration (FAA) to be ***active and ongoing*** to this day – that is, in violation of this Court’s order of 26 January 2023 to desist from further crime.

The evidence of that *ongoing crime* is available to investigators and to this Court. Prima facie evidence is contained in the ‘Dossier of Crimes’, Volume III, Chapter 42, or can be obtained from the FAA.

There can be no clearer an example of a thoroughly criminal corporate culture in Boeing than this ongoing ***‘Jamal Khashoggi style’ kidnap and murder plot*** by Boeing of one of its own trusted senior employees. These four accidents and one incident point to the Boeing Company’s extreme indifference to human life and a criminal corporate culture. The kidnap and murder attempts were made at the behest of and on behalf of a senior government official. The payback to the Boeing Company, the commercial incentive for the foiled murder attempt upon one of their own, is believed to be the US Air Force Tanker Aircraft contract (modifying the Boeing 767) which problematic transaction was being decided between January 2007 and February 2011.

In each of the five examples presented above, the Boeing Company enjoyed impunity from prosecution - that safe haven and passage enabling more crime by the company in the future.

## **5. RISK TO INVESTORS AND FINANCIAL MARKETS**

Because the Boeing Company *fraud and crimes are ongoing* in spite of this Court's order to Boeing to cease and desist from doing crime, the risk to the financial investment markets remain acute. That risk is potentially the partial or total loss of investment(s) value. That potential of 'total loss' amounts to \$249.88 billion, premised upon the peak market capitalization of the Boeing Company during the period of fraud, which period is 16 years. The Boeing Company's stock exchange fraud needs to be terminated.

## **6. RISK TO COURT WITNESSES**

Because Boeing's violent crimes are *ongoing*, despite this Court's order to Boeing to desist from doing crime; and because the trap set by Boeing and their government co-conspirator for Anthony Keyter's kidnap and murder is still held in place (according to the FAA), no witness to Boeing's crimes is safe. The risk of loss of life through kidnap and murder - for the Amicus Curiae Anthony Keyter and for every other witness or prosecutor or judge who opposes Boeing's criminality, remains acute. Boeing has attempted the murder of a witness once before, and, since there has been no deterrent or law-enforcement, there is no reason to believe that they will not attempt that again. The Boeing Company's violent crimes must be terminated.

## **7. RISK TO FLIGHT SAFETY**

Because the Boeing crimes and criminal corporate culture is *ongoing*; because Boeing's breaches of this Court's order are ongoing despite the order for Boeing to desist from

doing crime, the dangers to the international flying public remains as acute as they were before each of the previous four air accidents discussed above, and before the death of 507 people and grave injury to another 189. The Amicus Curiae, Anthony Keyter, finds it essential to repeat his flight safety warning to all those who are in a position and who have the ability to bring rehabilitation to the Boeing Company's criminal corporate culture and therefore to secure flight safety on Boeing manufactured aircraft.

***Flight Safety Warning:***

*Four common causes, stemming from the Boeing Company, have caused the death of 507 people and grave injury to another 189 in the preventable air accidents of Lion Air Flight 610, Ethiopian Airlines Flight 302 ; Asiana Flight 214, and Air India Flight IX-812. Many more innocent people will die needlessly in inevitable aircraft or spacecraft accidents on Boeing aircraft/spacecraft, attributable to these same avoidable causes:*

- *Unless the ongoing criminality within the Boeing Company and its US Government co-conspirators is addressed and terminated. (See the Dossier of Crimes).*
- *Unless the impunity offered by the US Government to the Boeing Company, for crimes committed, is ended forthwith.*
- *Unless the Boeing Company's culture of 'extreme indifference to human life' is reigned in and eradicated for good. (See major contributory causes by Boeing in the accidents of Lion Air Flight 610, Asiana Flight 214, and Air India Flight IX-812.)*
- *Unless Boeing's corporate culture of putting its financial interests first, well before flight safety considerations, is once and for all eliminated in full. (See criminal charges in the Dossier of Crimes, Volume III, Chapter 42).*

## **8. CONCLUSION**

The Boeing Company's corporate culture is one of indifference to the law. This aspect is demonstrated by the number of (unaddressed) criminal complaints filed against the company and by the ongoing breaches detailed in this Brief. The multiple breaches of this Court's order of 26 January 2023, right after the issuance of that order demanding Boeing desist from further crime, is proof that Boeing's corporate culture is a lawless

culture. Lawlessness is an entrenched business philosophy and *modus operandi* for the company. Such flagrant violation of this Court's order makes a mockery of the order and the Court. This systemic lawlessness will not change unless this Court takes decisive action against the leadership of the Boeing Company, in order to enforce a more law-abiding corporate culture.

History has shown that the criminal culture by Boeing's leaders will not change with a mere fine, no matter how big such fine is. The Department of Justice fine after the Max accidents, of \$2.5 billion on January 7, 2021, changed nothing in their criminal corporate culture. The subsequent Securities and Exchange fine of \$200 million on September 22, 2022, changed nothing in their *modus operandi*.

In addition, the Boeing Company, through its leaders, shows an extreme indifference to human life. The Directors and Executives of the Boeing Company have engaged and continue to engage in conduct which creates a grave risk of death to people. That conduct has already caused the death of 507 people and grave injury to another 189 worldwide - despite flight safety warnings on the consequences of their actions.

This Amicus Curiae 'Brief' has endeavoured to show that Boeing and its leaders have on many occasions and in various ways violated this Court's 26 January 2023 order instructing Boeing to desist from further crime. The Amicus Curiae, Anthony Keyter, is of the belief that only the arrest and incarceration of the Board of Directors and certain Executives listed in Appendix 1, for violation of the court order, will serve to terminate those violations and other crimes, and change for the better, the entrenched criminal corporate culture in the Boeing Company.

Respectfully Submitted,



Anthony P. Keyter  
Amicus Curiae

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## APPENDIX 1

***The Boeing Company*** and its Board of Directors and Executive Council:

***Board of Directors:*** Robert A. Bradway; David L. Calhoun; Lynne Doughtie; David Gitlin; Lynn J. Good; Stayce D. Harris; Akhil Johri; David L. Joyce; Lawrence W. Kellner (Chair); Steven Mollenkopf; John M. Richardson; Ronald A. Williams. All other directors since 8 March 2006.

***CEO and Executive Council:*** David L. Calhoun (Pres and CEO); Bertrand-Marc Allen; William Ampofo; Uma Amuluru; Michael Arthur; Brian Besanceney; Leanne Caret; Ted Colbert; Michael Ambrose; Stanley Deal; Michael Delaney; David Dohnalek; Susan Doniz; Brett Gerry; Greg Hyslop; Elizabeth Lund; Carole Murray; Ziad Ojakli; William Osborne; Stephanie Pope; Chris Raymond; Brian West; Scott Stocker; Edward Dandridge; John Demers, Corporate Secretary. All other Executive Council Members since 8 March 2006.

---

Anthony Keyter  
6200 Soundview Drive, R201  
Gig Harbor, WA, 98335  
Tel: 253-8533859  
Email: akeyter@centurytel.net

February 6, 2023

US District Court  
501 West 10<sup>th</sup> Street, Room 310  
Fort Worth, TX 76102-3673

The Clerk,

Enclosed find a Motion for Leave to file an *Amicus Curiae Brief* in criminal case number **4:21-CR-5**, together with the 'Brief' and Certificate of Service. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'A Keyter', with a stylized flourish at the end.

Anthony Keyter

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of February 2023, a true and correct copy of this Motion and Amicus Curiae Brief was served on the following counsel for the parties:

United States Attorney :  
United States Attorney  
Burnett Plaza, Ste 1700  
801 Cherry Street, Unit #4  
Fort Worth, Texas 76102-6882

Defendants: C/o  
CEO David L. Calhoun  
Corp. Secretary John Demers  
Boeing Corporate Offices  
929 Long Bridge Drive  
Arlington, VA 22202  
david.l.calhoun@boeing.com;  
john.demers@boeing.com;

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Keyter', is written over a horizontal line.

Anthony P. Keyter



Exhibit 201  
A. 98335

The Clerk  
US District Court  
501 West 10<sup>th</sup> Street, Room 310  
Fort Worth TX 76102-3673

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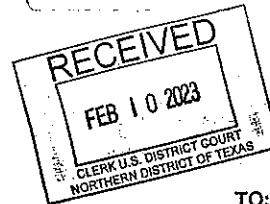


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Anthony Keyter  
6200 Soundview Drive, R201  
Gig Harbor, WA. 98335



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US District Court  
501 West 10<sup>th</sup> Street, Room 310  
Fort Worth TX 76102-3673

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